

REQUEST FOR PROPOSALS
FOR
CONVERSION TECHNOLOGY
EVALUATION SERVICES

LOS ANGELES COUNTY
DEPARTMENT OF PUBLIC WORKS
ARCHITECTURAL ENGINEERING DIVISION
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REQUEST FOR PROPOSALS CONVERSION TECHNOLOGY EVALUATION SERVICES

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- A Scope of Work
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- Avoidance of Conflict of Interest Certificate, Proposer's EEO Certification Form, and Lobbyist Ordinance Affidavit Form
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REQUEST FOR PROPOSALS CONVERSION TECHNOLOGY EVALUATION SERVICES

1. **INTRODUCTION AND OVERVIEW**

1.1 General

The Los Angeles County Department of Public Works (Public Works) is inviting proposals from qualified firms to provide conversion technology evaluation services for Public Works located at 900 South Fremont Avenue, California.

The objective of this solicitation is to select a firm that is best qualified to provide the requested services.

1.2 Proposals

Proposers are requested to submit proposals offering conversion technology evaluation services in accordance with Section 2, and in a format specified in Section 8 of this Request for Proposals (RFP).

1.3 Consultant Selection

County will select a successful Proposer based on the Proposer's qualifications which represent the best service to Public Works, regardless of race, creed, color, or gender. The successful Proposer is also referred to as the Consultant in this document.

1.4 Processing of this RFP will be handled in the following manner:

1.4.1 An initial pass/fail evaluation will be made for each proposal to determine whether the mandatory requirements required by Section 8 are included in each proposal.

1.4.2 Proposers that pass the initial pass/fail evaluation will be submitted to the Evaluation Committee for evaluation and rating.

1.4.3 All proposals will be evaluated to develop a short list of qualified Proposers. Public Works may invite the short-listed Proposers to make oral presentations to the Evaluation Committee. The oral presentations will be evaluated and the Evaluation Committee may recommend a Consultant for approval. Public Works at its sole discretion may elect to conduct oral interviews with up to the top 3 ranked Proposers. The Evaluation Committee will combine the rank from the written proposals with the rank from the oral interviews (if conducted) to recommend a Proposer for approval. The recommendation for selection will be made on the basis of qualifications, demonstrated competence, cost per Schedule of Deliverables Exhibit B, and technical response to the RFP without regard to race, creed, color, or gender. (Please see Item 9.2 for summary of scoring criteria).

1.4.4 When the recommendation is approved, the selected Proposer will be invited to negotiate fees for the Scope of Services.

In the event that additional elements, changes, or enhancements to existing elements contained in this RFP may be required, Public Works reserves the right to negotiate with the Consultant to cause these changes to be incorporated in the work product.

1.4.5 Upon conclusion of negotiations, Public Works will process a Consultant Services Agreement to award the contract.

1.4.6 Notwithstanding a recommendation of a department, agency, individual, or other, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a Proposer and the terms of any resultant agreement, and to determine which Proposer best serves the interests of Los Angeles County (County). The Board of Supervisors is the ultimate decision-making body and makes the final determinations necessary to arrive at a decision to award, or not award, a contract.

1.5 Management of the Consultant

The Consultant shall take all formal direction from the County Project Manager assigned the responsibility for the project. All activities related to administration of the Consultant's agreement will be managed by the County Project Manager.

1.6 County's Ownership of Materials and Equipment

All services provided by the Consultant, and all materials, documents, reports, and other information of all types, including computer models developed by the Consultant for the project, and all works based thereon, incorporated therein, or derived therefrom, shall be the sole and exclusive property of the County.

2. **SCOPE OF SERVICES**

2.1 General

The scope of services required under this project are generally as indicated below. The scope is more fully described in the attached Exhibit A.

2.1.1 Development of criteria to screen and rank potential conversion technologies based on the technical and financial feasibility of siting a facility in Southern California, and on the willingness of the technology's developers to partner with a materials recovery facility operator (or other suitable solid waste facility) in order to develop a pilot facility and subsequent full scale facility;

2.1.2 Development of criteria to screen and rank potential materials recovery facilities located in Southern California based on their ability, willingness, and feasibility to partner with a conversion technology developer in order to develop a facility;

2.1.3 Use of the screening and ranking criteria to select the most suitable combinations of technology and facility for development of a facility in Southern California; and,

2.1.4 Determination of potential actions and resources needed to develop an operational facility in Southern California.

3. **SCHEDULE FOR SERVICES**

After successful negotiations, award of contract, and contract execution, a Notice to Proceed will be issued for conversion technology evaluation services as required in this RFP. The Consultant shall provide a schedule within 15 working days after the date of the Notice to Proceed, indicating start and completion of all anticipated work.

Within the Proposal each Proposer is required to submit a completed Schedule of Deliverables, indicating tentative dates for submission of each deliverable listed, as well as a tentative value for each deliverable payable to the Contractor upon approval by the County. Deliverable due dates will be mutually finalized during the negotiation period as outlined in Section 1.4.4.

4. COMPENSATION

The Consultant shall be compensated based on Exhibit B (Schedule of Deliverables), following submittal by the Consultant of adequate documentation for completion of a deliverable or of a measurable portion thereof, and subject to approval by the County. Public Works will reimburse the Consultant for additional copies of reports and any other written requests outside the Scope of Services. Mileage is not reimbursable. Invoices shall include documentation, as appropriate, for work completed and all authorized reimbursable expenses incurred. The contract will be for approximately \$200,000.

5. SERVICES BY PUBLIC WORKS

5.1 Public Works will provide access to all relevant data in its possession. However, the County assumes no responsibility whatsoever with respect to the sufficiency or accuracy of any information supplied. The Consultant shall be responsible for evaluation of all information supplied by Public Works.

5.2 County Project Manager

The County Project Manager is the person assigned by the Director of Public Works to oversee, direct, and coordinate this project and act as liaison to the other County departments and agencies.

6. GENERAL CONDITIONS

6.1 General Conditions

This RFP is a solicitation for proposals only, and is neither intended, nor to be construed as, an offer to enter into an agreement or engage in any formal competitive bidding or negotiation pursuant to any statute, ordinance, rule, or regulation. Thus, the County reserves the unqualified right to reject any or all proposals for any reason.

6.2 County's Responsibilities

County is responsible only for that which is expressly stated in this RFP. County is not responsible for, and shall not be bound by, any representations otherwise made by any individual acting or purporting to act on its behalf.

6.3 Cost of RFP

The County shall not in any way be liable or responsible for any costs incurred in connection with the preparation, submittal, or presentation of any RFP submitted in response to this request.

6.4 Compliance with RFP

Responses to this RFP shall be made according to the specifications and instructions contained herein. Failure to adhere to RFP instructions may be cause for rejection of any proposal.

6.5 Truth and Accuracy of Representations

Substantially false, misleading, incomplete, or unresponsive statements and/or failure to adhere to the format herein described may be sufficient cause for rejection. The evaluation and determination of the fulfillment of the above requirement shall be in the County's sole judgment and shall be final.

6.6 Contract Execution

The resultant contract of this RFP shall be executed and returned by the selected firm within ten calendar days from the time of receipt of the contract (see sample Consultant Services Agreement, Attachment 1). If the contract is not returned within ten calendar days, the County may exercise the option of awarding the contract to the next qualified Proposer.

6.7 Acceptance of Terms and Conditions

Proposers understand and agree that submittal of a proposal will constitute acknowledgment and acceptance of, and a willingness to comply with, all of the terms, conditions, and criteria contained in this RFP, including attachments thereto, except as otherwise specified in the proposal. Any and all parts of the submitted proposal may become part of any resultant contract between the selected Consultant and the County.

6.8 County's Changes to RFP

County reserves the right to interpret or change any provisions of this RFP at any time prior to the proposal submittal date. Such interpretations or changes shall be in the form of addenda to this RFP. Such addenda will become part of this RFP and may become part of the resultant contract. Such addenda shall be made available to each person or organization which has received an RFP. Should such addenda require additional information not previously requested, a Proposer's failure to address the requirements of such addenda may result in the Proposer not being considered.

Public Works, at its sole discretion, may determine that a time extension is required for submittal of proposals, in which case an addendum shall indicate the new proposal submittal date.

6.9 Proposer Changes to Proposal

No changes to the proposals shall be allowed after submittal to Public Works.

6.10 Consistency with Laws

Any agreement entered into by the Proposer shall be consistent with applicable federal, state, and local laws.

6.11 Public Records Act

Responses to this RFP become the exclusive property of the County. At such time as Public Works recommends to the Board of Supervisors, and such recommendation appears on the Board Agenda, all proposals submitted in response to this RFP become a matter of public records. Exceptions will be those elements in each proposal which are trade secrets as that term is defined in Government Code Section 6254.7 and which are so marked as "TRADE SECRET," "CONFIDENTIAL," or "PROPRIETARY." The County shall not in any way be liable or responsible for the disclosure of any such records including, without limitation, those so marked if disclosure is deemed to be required by law or by an order of the Court. Proposers which indiscriminately identify all or most of their proposal as exempt from disclosure without justification may be deemed unresponsive.

6.12 Contact with County Employees

As of the issue date of this RFP and continuing until the final date for submittal of proposals, all Proposers are specifically directed not to hold meetings, conferences, or technical discussions regarding the RFP with County employees. During the submittal period, questions regarding this RFP may be directed to the person indicated in the cover letter or faxed to: Mr. David Asato, Los Angeles County Department of Public Works, Architectural Engineering Division, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331, Facsimile (626) 979-5311 or 979-5310

Contact with any other County official or employee during the submittal period regarding this RFP may be cause for immediate disqualification of the Proposer.

6.13 County of Los Angeles Lobbyist Ordinance

The County has enacted an ordinance regulating the activities of persons who lobby County officials. This Ordinance, referred to as the "Lobbyist Ordinance," defines a County lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the Ordinance can be found in County Code Chapter 2.160. In effect, each person, corporation, or other entity who seeks a County permit, license, franchise, or contract must certify compliance with the Ordinance. As part of this solicitation process, it is the responsibility of each Proposer to review the Ordinance independently as the text of said Ordinance is not contained within this RFP. Thereafter, each person, corporation, or other entity submitting a response to this proposal must certify that each County lobbyist, as defined by Los Angeles County Code Section 2.160.010, that is retained by the Proposer is in full compliance with Chapter 2.160 of the County Code.

6.14 Gratuities

It is improper for any County officer, employee, or agent to solicit consideration, in any form, from a Proposer with the implication, suggestion, or statement that the Proposer's provision of the consideration may secure more favorable treatment for the Proposer in the award of the contract or that the Proposer's failure to provide such consideration may negatively affect the County's consideration of the Proposer's submittal. A Proposer shall not offer or give, either directly or through an intermediary, consideration, in any form, to a County officer, employee, or agent for the purpose of securing favorable

treatment with respect to the award of the contract.

A Proposer shall immediately report an attempt by a County officer, employee, or agent to solicit such improper consideration. The report shall be made either to the Public Works' manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (213) 974-0914 or (800) 544-6861. Failure to report such a solicitation may result in the Proposer's submittal being eliminated from consideration. Among other items, such improper consideration may take the form of cash, discounts, services, the provision of travel or entertainment, or tangible gifts.

6.15 Consideration of GAIN/GROW Program Participants for Employment

As a threshold requirement for consideration for contract award, Proposers shall demonstrate a proven record of hiring participants in the County's Department of Public Social Services' Greater Avenues for Independence (GAIN) or General Relief Opportunity for Work (GROW) Program, or shall attest to a willingness to consider GAIN/GROW participants for any future employment opening if they meet the minimum qualifications for that opening. Additionally, Proposers shall attest to a willingness to provide employed GAIN/GROW participants access to the Proposers' employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities. Proposers who are unable to meet this requirement shall not be considered for contract award.

6.16 Child Support Compliance Program

At the time of proposal submittal to Public Works, Proposers must submit separately to the Child Support Services Department (CSSD) a completed Principal Owner Information Form (POI Form). Additionally, Proposers shall submit along with a proposal to the County, certifications in accordance with the provisions of Section 2.200.060 of the County Code, that: 1) the POI Form has been appropriately completed and provided to the CSSD with respect to the Proposer's Principal Owners; 2) the Proposer has fully complied with all applicable state and federal reporting requirements relating to employment reporting for its employees; and 3) the Proposer has fully complied with all lawful served Wage and Earnings Assignment Orders and Notices of Assignment and will continue to maintain compliance. Such certification must be submitted on the Child Support Compliance Program Certification (CSCP Certification). Failure by a Proposer to submit the CSCP

Certification (which includes certification that the POI Form has been submitted to the CSSD) to the Department of Public Works, along with a copy to the CSSD, shall be grounds for a finding that the proposal is nonresponsive (County Code Section 2.200.070).

6.17 Federal Earned Income Credit

Consultant shall notify its employees, and shall require each subconsultant to notify its employees, that they may be eligible for the federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in Internal Revenue Service Notice 1015.

6.18 Reduction of Solid Waste

Consistent with the Board of Supervisors' policy to reduce the amount of solid waste deposited at the County landfills, the Consultant agrees to use recycled-content paper to the maximum extent possible on the project.

6.19 Small Businesses

Consultants are encouraged to utilize small businesses when possible to provide supplies, equipment, technical services, and other services under this RFP and resultant contract.

6.20 Indemnification and Insurance

Two Alternative Indemnification and Insurance Provisions are set forth in Attachments 2 and 3 of this RFP. Please select one of the alternatives, initial as acceptance of the selected provision, and submit with your response to this RFP. The selected provisions will be incorporated into the Consultant Services Agreement.

6.21 Determination of Proposer Responsibility

6.21.1 A responsible Proposer is a Proposer who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the contract. It is the County's policy to conduct business only with responsible contractors.

- 6.21.2 Proposer must provide copies of financial statements prepared by a certified public accountant for the last three full fiscal years. Statements should include the company's assets, liabilities, and net worth. At a minimum, statements must include a balance sheet (statement of financial position), income statement (statement of operations), and retained earnings statement. If audited statements are available, these should be submitted. Income tax returns and personal financial records are unacceptable. Financial records will not be held confidential unless they are properly designated as trade secrets in accordance with Section 6.11. The County may declare a Proposer to be nonresponsible for purposes of this contract if the Proposer's financial stability is deemed insufficient to allow the contractor to fulfill the requirements of this contract with certainty.
- 6.21.3 Proposers are hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may determine whether the Proposer is responsible based on a review of the Proposer's performance on any contracts, including but not limited to, County contracts. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by the Proposer against public entities. Labor law violations which are the fault of subconsultants, and of which the Proposer had no knowledge, shall not be the basis of a determination that the Proposer is not responsible.
- 6.21.4 The County may declare a Proposer to be nonresponsible for purposes of this contract if the Board of Supervisors, in its discretion, finds that the Proposer has done any of the following: 1) committed any act or omission which negatively reflects on the Proposer's quality, fitness, or capacity to perform this contract with the County or a contract with any other public entity, or engaged in a pattern or practice which negatively reflects on same, 2) committed an act or omission which indicates a lack of business integrity or business honesty, or 3) made or submitted a false claim against the County or any other public entity.
- 6.21.5 If there is evidence that the highest ranked Proposer may not

be responsible, the Department shall notify the Proposer in writing of the evidence relating to the Proposer's responsibility, and its intention to recommend to the Board of Supervisors that the Proposer be found not responsible. The Department shall provide the Proposer and/or the Proposer's representative with an opportunity to present evidence as to why the Proposer should be found to be responsible and to rebut evidence which is the basis for the Department's recommendation. If the Proposer fails to avail itself of the opportunity to rebut the Department's evidence, the Proposer may be deemed to have waived all rights of appeal.

6.21.6 If the Proposer presents evidence in rebuttal to the Department, the Department shall evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board of Supervisors. The final decision concerning the responsibility of the Proposer shall reside with the Board of Supervisors.

6.21.7 These terms shall also apply to proposed subconsultants of Proposer on County contracts.

6.22 Proposer Debarment

6.22.1 The Proposer is hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar the Proposer from proposing on other County contracts for a specified period of time, not to exceed three years, and the County may terminate any or all of the Proposer's existing contracts with County, if the Board of Supervisors finds, in its discretion, that the Proposer has done any of the following: 1) violated any term of a contract with the County, 2) committed any act or omission which negatively reflects on the Proposer's quality, fitness or capacity to perform a contract with the County or any other public entity, or engaged in a pattern or practice which negatively reflects on same, 3) committed an act or offense which indicates a lack of business integrity or business honesty, or 4) made or submitted a false claim against the County or any other public entity.

6.22.2 If there is evidence that the highest-ranked Proposer may be

subject to debarment, the Department shall notify the Proposer in writing of the evidence which is the basis for the proposed debarment, and shall advise the Proposer of the scheduled date for a debarment hearing before the Contractor Hearing Board.

6.22.3 The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The Proposer and/or the Proposer's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a proposed decision, which shall contain a recommendation regarding whether the Proposer should be debarred, and, if so, the appropriate length of time of the debarment. If the Proposer fails to avail itself of the opportunity to submit evidence to the Contractor Hearing Board, the Proposer may be deemed to have waived all rights of appeal.

6.22.4 A record of the hearing, the proposed decision, and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the hearing Board.

6.22.5 These terms shall also apply to proposed subconsultants of Proposers on County contracts.

6.23 Prohibition from Involvement in Bidding Process

Consultant understands and agrees that neither it nor its subsidiaries shall be involved in any way in the bidding process on any Request for Proposal developed or prepared by or with the assistance of Consultant's services rendered pursuant to this Agreement, either as a prime Contractor or subcontractor, or as a Consultant to any other prime Contractor or subcontractor. Any such involvement by Consultant shall result in the rejection by the County of the bid by the prime Contractor in question.

6.24 Contractor Employee Jury Service Program

The prospective contract is subject to the requirements of the County's Employee Jury Service Ordinance ("Jury Service Program") (Los Angeles

County Code, Chapter 2.203). Prospective contractors should carefully read the Jury Service Program and the pertinent jury service provisions of the model/sample contract, both of which are incorporated by reference into and made a part of this RFP. The Jury Service Program applies to both contractors and their subcontractors.

Proposers that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

6.24.1 The Jury Service Program requires contractors and their subcontractors to have and adhere to a written policy that provides that its employees shall receive from the contractor, on an annual basis, no less than five days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with the contractor or that the contractor deduct from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a contractor and "full time" means 40 hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by the County, or 2) the contractor has a long-standing practice that defines the lesser number of hours as full time. Therefore, the Jury Service Program applies to all of a contractor's full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of 90 days or less within a 12-month period are not considered full-time for purposes of the Jury Service Program.

6.24.2 There are two ways in which a contractor might not be subject to the Jury Service Program. The first is if the contractor does not fall within the Jury Service Program's definition of "contractor". The Program defines "contractor to mean a person, partnership, corporation or other entity which has a contract with the County or a subcontract with a County contractor and has received or will receive an aggregate sum of \$50,000 or more in any 12-month period under one or more County contracts or subcontractors. The second is if the contractor meets one of the two exceptions to the Jury Service

Program. The first exception concerns small businesses and applies to contractors that have: 1) ten or fewer employees; and, 2) annual gross revenues in the preceding twelve months which, if added to the annual amount of this contract is less than \$500,000; and, 3) is not an "affiliate or subsidiary of a business dominant in its field of operation". The second exception applies to contractors that possess a collective bargaining agreement that expressly supersedes the provisions of the Jury Service Program. The contractor is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.

- 6.24.3 If a contractor does not fall within the Jury Service Program's definition of "Contractor" or if it meets any of the exceptions to the Jury Service Program, then the contractor must so indicate in the Certification Form and Application for Exception and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing the contractor's application, the County will determine, in its sole discretion, whether the contractor falls within the definition of Contractor or meets any of the exceptions to the Jury Service Program. The County's decision will be final.

6.25 Vendor Registration with the County of Los Angeles

All potential bidders/proposers with the County of Los Angeles are required to register in WebVen and have a valid vendor number assigned to them. The vendor number is required by the Auditor-Controller and is necessary for any payments to be made to a contractor who is awarded a County project. Vendor registration can be done online at http://lacounty.info/doing_business/main_db.htm or calling the County's Internal Service Department Central Purchasing Vendor Relations Unit at (323) 267-2650. If you are awarded a contract and you do not have a valid vendor number, your payments will be delayed until you are registered.

6.26 No Payment for Services Provided Following Expiration/Termination of Agreement

CONTRACTOR shall have no claim against COUNTY for payment for any

money or reimbursement, of any kind whatsoever, for any service provided by CONTRACTOR after the expiration or other termination of this Agreement. Should CONTRACTOR receive any such payment it shall immediately notify COUNTY and shall immediately repay all such funds to COUNTY. Payment by COUNTY for services rendered after expiration/termination of this Agreement shall not constitute a waiver of COUNTY's right to recover such payment from CONTRACTOR. This provision shall survive the expiration or other termination of this Agreement.

6.27 Local Small Business Enterprise Preference Program

In evaluating proposals, the County will give preference to businesses that are certified by the County as a Local Small Business Enterprise (Local SBE), consistent with Chapter 2.204 of the Los Angeles County Code. A certified Local SBE is a business: 1) certified by the State of California as a small business enterprise; 2) having its principal office currently located in Los Angeles County for a period of at least the past 12 months; and 3) certified by Office of Affirmative Action Compliance as meeting the requirements set forth in 1 and 2 above. Certified Local SBEs must request the SBE Preference in their solicitation responses and may not request the preference unless the certification process has been completed and certification affirmed. County must verify Local SBE certification prior to applying the preference. Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain certification as a certified Local SBE.

Information about the State's small business, enterprise certification regulations is in the California Code of Regulations, Title 2, Subchapter 8, Section 1896 et seq., and is also available on the California Department of General Services Office of Small Business Certification and Resources Web site at <http://www.pd.dgs.ca.gov/smbus/default>.

6.28 Notice to Employees Regarding the Safely Surrendered Baby

The Contractor shall notify and provide to its employees, and shall require each subcontractor to notify and provide to its employees, a fact sheet regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County, and how to safely surrender a baby. The fact sheet is set forth in Attachment 4 of this Contract and is also available on the Internet at www.babysafela.org for printing purposes.

The Contractor acknowledges that the County places a high priority on the implementation of the Safely Surrendered Baby Law. The Contractor understands that it is the County's policy to encourage all County Contractors to voluntarily post the County's "A Safely Surrendered Baby Law" poster in a prominent position at the Contractor's place of business. The County's Department of Children and Family Services will supply the Contractor with the poster to be used.

7. COMMUNITY BUSINESS ENTERPRISE (CBE) PARTICIPATION

7.1 The County has adopted a Community Business Enterprise (CBE) Program, available for review at Public Works, which includes business enterprises owned by disabled veterans, disadvantaged business enterprises, and minority and women-owned business enterprises. The County has established an aspirational goal that 25 percent of all County contract dollars shall go to certified CBEs. All Proposers shall document good faith efforts it has taken to assure that CBEs are utilized when possible to provide supplies, equipment, technical services, and other services under this contract. The County will evaluate the Proposer's good faith efforts to meet the CBE participation goal by reviewing the Proposer's documentation of the following criteria:

- 7.1.1 Proposer attended any preproposal meetings scheduled by the County to inform all Proposers of the CBE program requirements for the project.
- 7.1.2 Proposer identified and selected specific items of the project for which a subcontract could be awarded to be performed by CBEs to provide an opportunity for participation by those enterprises.
- 7.1.3 Proposer advertised, not less than ten calendar days before the date the proposals are due, in one or more daily or weekly newspapers, trade association publications, minority or trade oriented publications, trade journals, or other media specified by the County for CBEs that are interested in participating in the project. This paragraph applies only if the County gave public notice of the project not less than 15 calendar days prior to the date the proposals are due.
- 7.1.4 Proposer provided written notice of his or her interest in

proposing on the project to certified CBEs not less than ten calendar days prior to the submittal of proposals.

- 7.1.5 Proposer followed up initial solicitations of interest by contacting the CBEs to determine with certainty whether the CBEs were interested in performing specific items of the project.
- 7.1.6 Proposer provided interested CBEs with information about the project and requirements for selected subconsultants.
- 7.1.7 Proposer requested assistance from minority and women community organizations; minority and women contractor groups; local, state, or federal minority and women business assistance offices; or other organizations that provide assistance in the recruitment and placement of minority or women business enterprises, if any are available. Proposer used the services and assistance of the Small Business Administration and Minority Business Development Agency of the Department of Commerce, the County Office of Affirmative Action Compliance, and other outreach agencies.
- 7.1.8 Proposer negotiated in good faith with the CBEs, and did not unjustifiably reject as unsatisfactory proposals prepared by any CBE.
- 7.1.9 Where applicable, the Proposer advised and made efforts to assist interested CBEs in obtaining bonds, lines of credit, or insurance required by these contract documents.
- 7.1.10 Proposer's efforts to obtain CBE participation could reasonably be expected by the County to produce a level of participation sufficient to meet the goals and requirements of the County.
- 7.2 The Proposer's CBE participation shall be reflected in the CBE participation form. The Proposer's documentation of its good faith efforts shall be submitted with the proposal to:

Architectural Engineering Division
900 South Fremont Avenue, 8th Floor
Alhambra, California 91803-1331
Attention: Mr. David Asato

- 7.3 The County has established CBE Program sanctions to ensure the fair and equitable opportunity to participate by certified CBEs. Proposers are required to acknowledge these CBE Program sanctions by completing the sanctions form.
- 7.4 Public Works will answer questions from Proposers regarding CBE participation.
- 7.5 The County strongly encourages participation by CBEs; however, the final selection will be made without regard to race, color, creed, or gender. The final selection will be based on the Proposer's ability to provide the best service and value to the County.

8. **FORMAT OF PROPOSAL**

The response to this RFP must be made according to the requirements set forth in this Section, both for content and for sequence. Noncompliance with these requirements or the inclusion of conditions, limitations, or misrepresentations, may be cause for rejection of the proposal.

Submittal of six complete copies (five spiral bound copies and one unbound) of the proposal and related information to:

Los Angeles County Department of Public Works
Architectural Engineering Division
900 South Fremont Avenue, 8th Floor
Alhambra, California 91803-1331
Attention: David Asato

Proposals must be received by the date indicated in the cover letter. **PROPOSALS RECEIVED BY PUBLIC WORKS AFTER THIS DEADLINE WILL BE CONSIDERED FOR EVALUATION SOLELY AT THE DISCRETION OF PUBLIC WORKS, IF DETERMINED TO BE IN THE COUNTY'S BEST INTERESTS.**

8.1 Format of Proposal Summary

Proposal submittals shall be organized as indicated below. Specific requirements for each of the Consultant's proposal sections are included hereinafter.

8.1.1 Mandatory Contents

Section 1 - Cover Letter

Section 2 -Table of Contents

Section 3 - Corporate Documentation

Section 4 - Statement of Qualifications and Experience

Section 5 - Standard Services and Work Plan

Section 6 - Acceptance of Terms and Conditions

Section 7 - Required Certifications

Section 8 - CBE Participation

Section 9 – Indemnification and Insurance Alternative

Section 10 – Additional Data

8.2 Specific Requirements for each Section of the Proposal

8.2.1 Section 1

"Cover Letter" shall be a maximum two-page letter including the name and address of the organization submitting the proposal; whether the proposing firm is an individual, partnership, corporation, or joint venture; and the name, address, and telephone number of the contact person who will be authorized to make representations for the organization.

8.2.2 Section 2

"Table of Contents" shall include an outline of the proposal, identified by sequential page number, and section title as described herein.

8.2.3 Section 3

"Corporate Documentation" shall include relevant information regarding organizational stability and strength, including financial statements as listed in Section 6.21.2 and a description/statement of the organization (e.g.), sole proprietorship, partnership, corporation, joint venture, etc.

8.2.4 Section 4

"Qualifications and Experience," shall include, but not be limited to, the following information:

8.2.4.1 Designation of an experienced senior individual as the supervisor/administrator of the Consultant's staff who will be responsible for the delivery of services in accordance with the established Scope of Services in the Consultant Services Agreement with Public Works.

8.2.4.2 Identification of principal staff members including major subconsultants. Provide information on key individuals providing the offered services including relevant experience, education, and past experience.

8.2.4.3 A list of projects which indicates related experience in providing conversion technology evaluation services. Include a list of references and respective phone numbers.

8.2.4.4 Provide a list of at least three but no more than six references, including County Departments. References from past clients must include client

name, address, phone number, and brief description of the project.

8.2.5 Section 5

"Standard Services" shall include the Proposer's approach to providing the service deliverables described in Section 2, Scope of Services and the Scope of Services Exhibit of this RFP. "Work Plan" will outline how the Proposer intends to provide and manage the resources necessary to accomplish the Scope of Services. The Schedule of Deliverables, Exhibit B, shall provide Proposer's proposed schedule and tentative cost.

8.2.5.1 Provide a description of your Standard Services and Work Plan for all services as outlined in Section 2 and the Scope of Work Exhibit for the whole project. The typical Work Plan shall indicate activities in support of the conversion technology evaluation services, including quality control reviews and participation of subconsultants, if any.

8.2.5.2 Provide a staffing and resources management plan for Consultant and each subconsultant which identifies specific tasks and the level of effort and the number of hours required for the services required for the project. Describe your current workload and capability/commitment to complete the Scope of Services in accordance with project schedules.

8.2.5.3 Provide the Deliverables Schedule, Exhibit B, with your proposed schedule and cost for each deliverable.

8.2.6 Section 6

"Acceptance of Terms and Conditions" shall include a statement affirming the Proposer's acceptance of the terms and conditions contained in the attached sample Consultant

Services Agreement .

8.2.7 Section 7

"Required Certifications"

Consultant shall complete and submit with the proposal, the following certifications and forms. Except for the Contractor Employee Jury Service Program form, these forms are required only from the prime. The Contractor Employee Jury Service Program form must be completed and signed by the entire project team.

- 8.2.7.1 A completed "Community Business Enterprise Participation" form.
- 8.2.7.2 A completed and signed "Community Business Enterprise Program Sanctions" form.
- 8.2.7.3 Completed and signed "Avoidance of Conflict of Interest Certification," "EEO Certification," and "Lobbyist Ordinance Affidavit" form.
- 8.2.7.4 A completed and signed "Attestation of Willingness to Consider GAIN/GROW Participation" form.
- 8.2.7.5 A completed history of past and current contracting with the County over the past three years.
- 8.2.7.6 A completed and signed "False Claims" form.
- 8.2.7.7 A completed and signed "Civil Litigation History" form.
- 8.2.7.8 A completed and signed "Criminal Conviction" form.
- 8.2.7.9 A completed and signed "Child Support

Compliance Program Certification" form.

8.2.7.10 A completed and signed "Contractor Employee Jury Service Program" form from the Consultant and entire project team.

8.2.7.11 Request for Local Small Business Enterprise (SBE) Preference Program Consideration.

8.2.8 Section 8

"CBE Participation" shall include documentation of Proposer's good faith efforts to meet the CBE participation goal specified in Section 7, CBE Participation.

The project-specific combined staffing totals indicated on the CBE Participation form must total the aggregate of the project-specified staff.

8.2.9 Section 9

The selected indemnification and insurance alternative as required in Article 6.20.

8.2.10 Section 10

"Additional Data" shall include any other data the Proposer deems essential to the evaluation of the proposal, i.e, letters of reference, other related projects, etc.

8.2.10.1 References from past clients must include client name, address, phone number, brief description of the project, list of Consultant team members and responsibility, and the name/phone number of the client's project manager.

8.2.10.2 If there is no additional data, this section will consist of the statement, "We wish to present no additional data."

9. **EVALUATION CRITERIA**

9.1 "Pass/Fail" Requirements

A "pass/fail" evaluation will be made of the Proposal to determine whether the Mandatory Contents required by Articles 8.1 and 8.2 are included in the Proposal. Failure to include all of the mandatory pass/fail requirements may be cause for disqualifying the Proposal as nonresponsive. The determination of nonresponsiveness shall be made solely at the discretion of the County, if it is determined to be in the County's best interests. Pass/fail criteria include the following:

9.1.1 The submittal shall contain all information as required in Article 8.2, which lists the specific requirements for each section of the proposals.

9.1.2 The proposal must include all required forms, CBE documentation, and certifications completed and signed as defined in Articles 8.2.7 - Required Certifications (Articles 8.2.7.1 through 8.2.7.11 inclusive) and 8.2.8 - CBE Participation.

9.2 Proposals that are determined to be responsive to the mandatory requirements shall be evaluated using a 100 point total cumulative score rating according to the following criteria:

SUMMARY OF SCORING

9.2.1 General Quality and Responsiveness of the Overall Proposal (15%)

9.2.2 Qualifications and Experience (35%)

9.2.3 Standard Services and Work Plan (25%)

9.2.4 Deliverables schedule and cost (25%)

9.3 Public Works at its sole discretion may elect to conduct oral interviews with up to the top 3 ranked Proposers. Should interviews be conducted, Proposers will be evaluated using a 100 point cumulative scoring rating according to the following criteria:

SUMMARY OF SCORING

9.3.1 Presentation (50%)

9.3.2 Responsiveness to Direct Questions (50%)

The highest rated Proposer from the total scoring from Sections 9.2 and 9.3 shall be recommended to be awarded the contract.

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8/5/2003

Exhibit A

Scope of Work – Southern California Conversion Technology Study Alternative Technology Advisory Subcommittee Los Angeles County Integrated Waste Management Task Force

INTRODUCTION

Conversion technology has the potential to be an economical, environmentally acceptable alternative to current waste management options. The purpose of this Scope of Work is to establish guidelines by which the Contractor shall complete a study to facilitate the development of a conversion technology facility in Southern California.

For the purposes of this study, conversion technologies shall mean processes that can convert residual solid waste into energy, ethanol, solvents, or other products, and includes such diverse processes as gasification, pyrolysis, hydrolysis, fermentation, distillation, digestion, catalytic cracking, plasma arc, and steam sterilization. This study will exclusively prioritize organic solid waste from a Materials Recovery Facility (MRF) as the feedstock for a potential facility.

The Contractor shall:

- Develop criteria to screen and rank potential conversion technologies based on the technical and financial feasibility of siting a facility in Southern California, and on the willingness of the technology's developers to partner with a materials recovery facility operator (or other suitable solid waste facility) in order to develop a pilot facility and subsequent full scale facility;
- Develop criteria to screen and rank potential materials recovery facilities located in Southern California based on their ability, willingness, and feasibility to partner with a conversion technology developer in order to develop a facility;
- Use the screening and ranking criteria to elect the most suitable combinations of technology and facility for development of a facility in Southern California; and,
- Determine the potential actions and resources needed to develop an operational facility in Southern California.

The Contractor shall be responsible for completion of the tasks outlined in this Scope of Work. The Los Angeles County Department of Public Works (County), in agreement with the Contractor and in consultation with the Alternative Technology Advisory Subcommittee of the Los Angeles County Integrated Waste Management Task Force (Task Force), may modify the Scope of Work based on new information gathered during the contract term and agreed to by mutual consent of the contracted party(s).

TASKS

Task 1 - Strategic Planning and critical path assessment

The Alternative Technology Advisory Subcommittee (Subcommittee) has been formed to bring about an understanding and implementation of alternative waste conversion technologies in the Southern California region. Many factors will impact this goal, including external and internal politics, legislative & regulatory actions and inactions, socio-economic and community concerns, and technical progress toward commercialization.

The Contractor, in collaboration with the Subcommittee and consistent with the Board of Supervisors action of July 27, 1999, will develop a Strategic Action Plan that will consider potential steps the County, the Task Force/Subcommittee and the Sanitation Districts may take over the short (6-12 months), mid (1-5 years) and long (8-10 years) term, to move forward on this complex goal. In this context, specific barriers to implementation will also be identified, and recommendations provided, as guidance to the Subcommittee.

The Contractor, in collaboration with the Subcommittee, will also develop an Outreach Plan to clearly explain why conversion technologies are appropriate, timely and necessary, and to dispel potential misconceptions about health and safety concerns. Target audiences potentially include local, regional, state and federal agencies and elected officials, impacted communities, interested organizations, and the general public.

Task 2 - Technology Evaluation

The Contractor shall review recent studies of conversion technologies including, but not limited to, recent studies conducted by the California Integrated Waste Management Board, the City of Los Angeles, the County of Santa Barbara, and other public and private entities in order to identify a comprehensive list of conversion technologies and processes and consider them on a case-by-case basis providing special considerations to the technologies investigated by CIWMB. The contractor will evaluate the technologies and summarize their characteristics. The summary shall include, at a minimum, an analysis of the performance characteristics; identification of emissions, residues (hazardous and non-hazardous), nuisance factors (noise, dust, traffic), and other environmental impacts associated with each technology; identification of the cleanest, least-polluting technologies; description of feedstocks (e.g., plastics, paper, organic materials) and feedstock requirements (e.g., acceptable moisture and contamination content, pre-processing requirements); sensitivity of emissions and residues to changes in feedstock characteristics; and, the willingness of the technology's developer to partner with a materials recovery facility operator (or other suitable solid waste management facility) to develop a pilot and/or (full scale?) facility.

The Contractor shall also:

- Fine tune recommendations for screening criteria to eliminate technologies that would not be suitable for development in Southern California or technology developers that are not willing or able to develop a facility in Southern California.
- Develop recommendations for ranking criteria to evaluate the remaining technologies and compare them to one another. These ranking criteria may include, but are not limited to, economic viability (based on a full-sized, commercial-scale facility, not a pilot facility), experience, operational characteristics, scalability, health, safety and environmental characteristics, resource usage, and other criteria, as approved by the County, in consultation with the Subcommittee.

Using approved screening and ranking criteria, the Contractor shall analyze those technologies that both pass the screening ranking criteria and rank satisfactorily, and shall:

- Summarize technical limitations and current commercial status of each technology, noting those technologies that have been proven to work on a pilot or commercial scale;
- Identify conversion technologies that qualify as manufacturing processes and the limitations on feedstock/operations necessary to attain that classification
- Identify most likely material streams from residual organic solid waste feedstock of a materials recovery facility that would and would not be processable by each technology;
- Identify optimal configurations (e.g. size, modularity, economy of scale, collocation/coproduction), and potential ways to improve conversion technologies' technical and environmental performance, including co-location of more than one conversion technology to manage multiple component sub-sets of a likely feedstock stream;

Task 3 - Potential Feedstock Evaluation

The Contractor shall evaluate the list of Southern California MRFs included in Appendix A. For the purposes of this study, acceptable feedstock is organic material that would otherwise be disposed, and has had all recyclable material source-separated or otherwise removed and recycled to the extent practicable.

The Contractor shall also:

- Develop recommendations for screening criteria for the potential facilities, including willingness to partner with a conversion technology developer in order to develop a pilot facility, availability of acceptable feedstock; and
- Develop recommendations for ranking criteria for the potential facilities, including feasibility of siting a conversion technology facility in proximity to the material recovery facility, accessibility to feedstock and transportation needs, minimal impact on adjacent communities, and consistency with land use policies and other local, State, and Federal requirements.

Based on approved screening and ranking criteria, the Contractor shall develop a list of the most promising material recovery facilities (MRFs) to partner with in order to develop a pilot and/or full scale facility.

Task 4 - Facility Analysis

Once the most suitable technologies and MRFs are identified, the Contractor shall analyze the needs and characteristics of each and recommend the best practical combinations of technologies and MRFs to maximize the ease of development and long term success of a facility. The analysis should take into consideration potential barriers to the development of a pilot and/or full scale facility, and make recommendations to alleviate such barriers as applicable.

The analysis shall also include:

- Principal siting and permitting requirements (including anticipated permits and approvals needed, CEQA and public concerns issues), and strategies on how to mitigate these constraints including overcoming potential opposition.
- Potential revenue sources, tax credits and other incentives
- Market analysis of the end products of the facility's processes, including cogeneration, energy, fuel or other raw materials. The analysis should include the viable demand, floor/ceiling of the net value of the product(s), potential storage/transfer considerations of product(s), and distance to end markets.
- Proposed construction, operation and maintenance costs for developing a facility
- Initial per ton disposal cost at a facility
- Construction timeline and potential service life for a facility
- A long-term plan on how facility capacity can be expanded and/or integrated with other conversion technologies at the same site (or elsewhere)

This information will be organized into at least three documents: an informational report; a marketing plan for financing, product marketing, etc.; and a siting plan that outlines potential obstacles and necessary steps for developing the facility.

Task 5 - Reports and Other Deliverables

The Contractor shall submit:

- Brief monthly reports on progress at the beginning of each month beginning in the second month following award of the contract.
- Summary of conversion technologies
- Develop criteria to screen and rank potential technologies
- Analysis of screened and ranked technologies
- Develop criteria to screen and rank potential facilities
- List of screened and ranked facilities
- Analysis of the most suitable combinations
- Strategic Action Plan

- Outreach Plan
- Informational report
- Marketing plan
- Siting plan
- Draft Final Report
- Final Report that includes all of the above information and recommendations

Deliverables shall be submitted to the County and Subcommittee for their review and comment based on the Schedule of Deliverables approved. The Contractor shall revise the Draft Final Report based on comments received from the County and Subcommittee. The Contractor will not receive final payment until the County and Subcommittee has approved the Final Report. The Final Report shall be printed double-sided, on recycled-content paper. The Final Report shall also be made available in electronic format.

Exhibit B - Schedule of Deliverables

Deliverable	Due	Amount
Brief monthly progress reports	monthly	
Summary of conversion technologies		
Develop criteria to screen & rank potential technologies		
Analysis of screened and ranked technologies		
Develop criteria to screen & rank potential facilities		
List of screened and ranked facilities		
Analysis of the most suitable combinations		
Strategic Action Plan	10/01/04	
Outreach Plan		
Informational report		
Marketing plan		
Siting plan		
Draft Final Report		
Final Report incl. above info. & recommendations		